

COURT MAY ACT IN MAYOR'S CASE

Merchants Prefer Peaceful Methods,
but Are Prepared for De-
termined Fight.

PROTEST TO MAYOR LOW PUTS INTRUDER TO FLIGHT

Man to Have Lower Broadway Work Done
Without Inconvenience as an
Example.

While the business men's anti-Broadway ditch association is arranging to present a formidable protest to Mayor Low next Tuesday, the merchants, who are in accord with sentiments expressed by Mayor Low in an interview in the Herald yesterday morning, one of them, a Broadway business man, said:

"All along the attitude of our association has been that of trying to deal in a fair, businesslike way with the Rapid Transit Commission, but if Mr. Orr and the Commission are going to take the position of saying to the citizens of New York: 'We shall do what we please with our streets and we will not stop there if we find it necessary to go further. There are courts and a Legislature in the State for the purpose of protecting the rights of citizens.'"

Alexander Shaw, secretary of the protest association, said yesterday: "The association has not yet been favored with any additional information as to what plans, if any, the Rapid Transit Commission is making for the Broadway work. We shall make no further move until Mayor Low gets back from his vacation. Sitting by Mr. Shaw's desk was a member of the committee, who said that he had been informed that it was the purpose of the Rapid Transit Commission to put through the work in lower Broadway, from the Post Office to the Battery, in a little inconvenience to the people along the street, that the opposition of the upper Broadway men would be of no avail."

"They are making plans," said he, "to do that work without causing any litter or annoyance, and when they do that, we will say 'Now you can see what it is possible to do in lower Broadway, and what has been done there can be done further up the street.'"

"They will point out that there are three big openings, Union, Madison and Herald squares, in the middle Broadway route, and with these places, for storage and working room, it will be possible to do a good job as was done from the Post Office south."

"We do not care how they do the work, whether the ditch is dug or shovelled, so long as they do not ruin business while the work is being done."

Brooklyn, where the ditch work is being worked even more feverishly than in Manhattan. The contract has already been made, and the work is being put forth to prevent the street from being torn up. The meeting between the Merchants' Association of Brooklyn and the Rapid Transit Commission has been arranged, and if this conference does not bring such promises from the Rapid Transit people as are desired other measures will be employed.

LUGAS TO INVOKE LAW

Comes Here from Pittsburgh Determined to Prosecute Professor Osbaldesten.

[SPECIAL DESPATCH TO THE HERALD.]
PITTSBURGH, Pa., Monday.—The scene of the troubles between Professor Edwin T. Osbaldesten and his alleged former wife has been transferred to New York, Frank Lugaz, with his wife and two children, left for that city last night.

Mr. Lugaz told a neighbor he was going to prosecute Professor Osbaldesten. On his former visit to New York, Mr. Lugaz said, he called on the Professor disguised as a reporter and had a long interview with him, in which the Professor talked freely of his plans regarding Mrs. Lugaz and told what he intended to do.

Mr. Lugaz declared that the close of the interview he presented his card to Osbaldesten, drew a revolver, and told the Professor that if he made another move in the matter he would kill him.

Professor Osbaldesten Declares His Interview with Mr. Lugaz Pleasant.
Professor Edwin T. Osbaldesten, of No. 7 West Sixty-third street, declares the interview between him and Frank Lugaz last Wednesday had a very pleasant ending over a glass of wine. He denies that a revolver was shown.

Wrote His Own Death Certificate

Dr. Salazar, Head of the American Hospital in Tampico, Mexico, Gave Up His Life in Fighting the Yellow Fever Epidemic.

[BY MEXICAN CABLE TO THE HERALD.]
MEXICO, Mexico, via GALVESTON, Texas, Monday.—Dr. Salazar, physician in charge of the American Hospital in Tampico, has given his life in a brave fight to check the yellow fever epidemic. No death of the summer has caused more grief among the classes with whom he labored, while the manner of his death has excited the greatest possible admiration for his bravery.

The physician's labor during the epidemic was unremitting. Despite the warnings of friends he persisted in working by the bedside of his patients long hours, sometimes without food and always without proper rest. To the American colony he was most assiduous in his attentions, and his direction of the hospital brought it to a high state of sanitary perfection.

Dr. Salazar detected symptoms of the fever in himself less than a week ago, but not until the disease had progressed far did he realize the direction of his attack. Then he turned to studying the state of his own disease, noted every advance, and at last he coolly called for pen and paper and wrote his own death certificate.

Since his death to-day the Mexican authorities have made a special inspection of the American Hospital, and their report declares it to be in an excellent condition.

There were eighteen cases of yellow fever yesterday, all told, and one death. Two were new cases. Two patients were discharged as cured.

Broker Grinds Organ on a Banter

Broadway Crowds Watch Him Turn Crank for Fifteen Minutes and Then Rejoin His Friends at the Imperial.

In front of the Hotel Imperial Annex an organ grinder stopped last evening, about nine o'clock, and began to play a popular air. A tall blond woman appeared at a window on the fourth floor, pushed up the window and listened.

Looking as prosperous as a Broad street broker, which he was said to be, a man, who had been dining with friends in a neighboring cafe, saw the woman from the window above begin to throw silver pieces at the itinerant musician. The example was popular and the organ grinder was reaping a harvest.

The broker crossed the street and took possession of the organ. A patron of the Grand Hotel said the broker while standing at the entrance to the Imperial Annex had been bantered by a friend.

"You wouldn't play that organ for fifteen minutes for a thousand dollars," said the friend to the broker.

"Done," said the broker, and he crossed the street and began to turn the crank. A crowd at once collected, and a third man in the broker's party ostentatiously timed the amateur organist.

When the fifteen minutes were up and the organ's repertoire was almost exhausted, the broker rejoined his friends. The woman patron of the cafe, who was sitting in a gayly colored house, threw a rosebud into the street. The broker, who was standing at the window, glanced skyward, and then he turned to the woman in the hotel and did not accept the homage graciously. She banged the window down with strong emphasis. The broker responded to the slight by bestowing the rose upon the organ grinder.

De Rothschild on Tour.
[SPECIAL DESPATCH TO THE HERALD.]
SAN FRANCISCO, Cal., Monday.—Robert de Rothschild, of Paris, a son of the French branch of the famous bankers of Europe, is in the city. He is on his way home from a tour of the world.



Mrs. Abbot Louis Einstein
Daughter of Lillian Russell who was quietly married.

SOCIETY WOMEN HER NO DECREASE IN ESCORT TO COURT

FREE ICE SUPPLY

Mrs. Simpson, Housekeeper, Rode in More Than 80,000 Pounds Distributed Daily from the Herald's Stations.

Mr. Blair's Drag to Appear Before Magistrate.

HAD EJECTED THE BUTLER APPLICANTS IN ORDERLY LINE

With Revolver in Hand Forced Him to Subscriptions Are Coming in More Slowly, but None Is Turned Away Empty Handed.

Mrs. W. R. Simpson, housekeeper of Blairden, the summer home of C. Ledyard Blair, was arraigned before Justice Sutphen, in Somerville, N. J., yesterday charged with threatening the life of James Walters, Mr. Blair's former butler.

In his complaint Walters declared that Mrs. Simpson discharged him in the absence of Mr. Blair because he made a slight mistake in delivering an order. When he refused to leave Blair's den until he received the full amount of wages due him, he asserted that Mrs. Simpson procured a loaded revolver from the night watchman and threatened to shoot him. She forced him to leave the house, after which she threw his clothes out of the window and locked the doors.

Mrs. Simpson told Justice Sutphen that Walters had attempted to make the affair much worse than it really was. She admitted that she had a revolver in her hand during her altercation with the butler, but said she did not point it at him and only displayed it because he was boisterous and profane and she feared him.

Mrs. Simpson made the journey of ten miles from Blairden to Somerville in one of Mr. Blair's drags, in company with a party of well-known society women, who left her at the court, with joking predictions of her fate. She was accompanied by her husband.

A letter from Mr. Blair expressed his willingness to go on her bail bond for any amount and to furnish either cash or real estate as security. Mr. Blair also stated that his lawyer, R. V. Lindbergh, had informed him that Mrs. Simpson had not exceeded her authority in expelling the butler from Blairden.

Justice Sutphen held Mrs. Simpson under \$200 bail to await the action of the Somerset Grand Jury. Her husband was accepted as her bondsman.

AMERICAN ICE CO. 1,000 TONS OF ICE PREVIOUSLY ACKNOWLEDGED

Ice stations are located at—
Zabrah 10.00
R. M. W. 2.00
X. Y. Z. 1.00
Total \$7,903.33

Ice stations are located at—
Mariners' Temple, Oliver and Henry streets.
No. 30 Washington street.
No. 43 West Thirty-ninth street.
No. 47 East Sixteenth street.
No. 28 Livingston street.
No. 15 Columbia street.
No. 26 Ridge street.
No. 46 West Twenty-sixth street.

THE HERALD EMPLOYS NO CANNVASSERS OR COLLECTORS. CONTRIBUTIONS TO THE HERALD FREE ICE FUND SHOULD BE SENT DIRECT TO THE NEW YORK HERALD. ALL DONATIONS WILL BE PROMPTLY ACKNOWLEDGED.

More than eighty thousand pounds of ice are going with great regularity from the Herald's ice stations into the homes of the poor each morning soon after the sun is up.

A noticeable feature at the distributing stations is the patience shown by the waiting applicants and the good order they observe. Often five hundred applicants will be at a station long before the great ice truck arrives, and they will arrange themselves in an orderly line along the curb and wait many minutes, and when the ice comes they seem to crowd, for they have learned that there is always ice enough for all.

Subscriptions to the fund are coming in more slowly than they should, but the reason is that the weather has not appeared strongly in behalf of the charity. The distribution goes on just the same, for experience teaches that the friends of the fund will not allow its work to languish.

GREAT BATTLE SHIP SWIMMER DIES IN SAVED AT BIG RISK

Captain Eaton Determined to Put to Sea with the Massachusetts After the Accident.

Dr. James H. Blaisdell, Jr., of Brooklyn, Drowned at Deal Beach in Rescuing Girls.

With her lower hold filled with water, her bottom plugged with pine corks, and shored up between decks and bulkhead, as a result of her crash against the Maine yesterday steamed up to the Navy Yard.

"Two points have been overlooked," said Captain Eaton, "in all the newspaper accounts of the accident. One is that we saved the ship, the other the splendid example of discipline, which shows the esprit de corps of the navy."

"Thirty seconds after the ship struck the rocks every man in the crew but one was at his post for collision drill. The first question which arose was whether to run ashore and beach the ship or take chances and put to sea."

"The former course meant the probable loss of the ship; the latter the possible loss of both the ship and crew. The vessel was put into deep water and we are here safe if not sound."

"I could have taken the Massachusetts to China as easily as to Brooklyn after she was temporarily repaired at Bar Harbor by the crew."

A superficial examination of the ship's injuries shows a hole forward three feet long and four inches wide.

Shoring was placed everywhere between decks forward to prevent springing of the bulkhead plates or decks, and the ship's pumps easily kept the upper hold dry.

LEFT BAR HARBOR FRIDAY.

The Massachusetts reached the Tompkinsville anchorage at seven o'clock on Sunday night. The first part of the journey was made at a speed of eight knots and the latter part at ten and a half knots. She was accompanied by the battle ship Indiana, the collier Lebanon and the navy tug Potomac.

About one hundred and sixty members of the Massachusetts' crew were transferred to the Culgoa and the Indiana at Bar Harbor. Many of the men begged to be allowed to remain on the ship. A dozen of them actually shed tears. Captain Eaton said, when they were transferred.

The vessel will go into dry dock at eleven o'clock to-morrow morning.

NEW BISHOP WARNED AGAINST TWO EVILS

Divorce, Destroyer of Home, and Socialism, Which Has Made Giant Strides.

SERMON AT CONSECRATION

Bishop McFaul's Charge to Bishop Colton at the Ceremony in St. Patrick's Cathedral.

With splendid pomp of ritual, the former Rev. Charles Henry Colton, D.D., right rector of St. Stephen's Church, was consecrated the fourth bishop of Buffalo, N. Y., in St. Patrick's Cathedral, this city, yesterday.

One of the consecrators was Bishop Colton of Brooklyn and another class mate, Bishop McFaul, of Trenton, was the preacher. In his sermon he warned the new bishop that part of his duties should be a warfare on divorce, "the destroyer of the home and family," and against socialism.

In Bishop Colton's see there is a large socialist element, against which his predecessor, Bishop Quigley, made radical and aggressive moves.

Archbishop Farley officiated as the consecrating prelate, assisted by Bishops McQuaid and McDonnell. Other bishops present were Montes De Oca, of Mexico; Ludden, Kenney, O'Connor, Burke, Beavins, and Hennessy, with Monsignor Rooney, Edwards, McNamara, Loughlin, Stafford, Barrett, Cannon, Lynch, Steffani, Archambault, Edelbrock and Vicar General Connelley of Buffalo, and a large delegation of Buffalo priests, and more than a hundred from this city also attended.

The apostolic commission was read by the Rev. Dr. M. J. Lavelle and also a message from the Pope, which said:

"His Holiness Pius X. sends Bishop Colton his apostolic benediction."

In his sermon Bishop McFaul said:

"The Bishop must proclaim, in season and out of season, the danger of education without religion and morality. Thus he will serve both Church and State, for the welfare of the Republic depends upon the virtue of its citizens."

"Divorce is an evil which must endeavor to exterminate, root and branch. It is the destroyer of the home and family, the corrupter of morals, the curse and the disgrace of the nation."

"Socialism has made giant strides among the laboring classes, owing partly to the brazen display of luxury and extravagance by the wealthy, and the conflict between labor and capital. Most modern evils spring from man's inhumanity to man. They can be remedied only by a return to the principles of Christianity. Rich and poor, the capitalist and the laborer, must do unto others as they would that others should do to them."

After the new Bishop passed down the main aisle and imparted his blessing to the people, giving it first to his brother and sister and other relatives, who sat just behind the choir in the front pews of the middle aisle. The Bishop and visiting clergy then retired to the sacristy, where a banquet was served.

Archbishop Farley presided, and the toast master was the Rev. Dr. M. J. Lavelle. The Rev. A. J. Toolen, president of the Alumni Association of the Troy Seminary, at which Bishop Colton studied, gave the invocation, a happy response, and a few remonstrant remarks by the senior ordinary, Bishop McQuaid, of Rochester, closed the proceedings.

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